



CONFIDENTIAL INFORMATION INFORMATIONAL SHEET

***KDHE, BUREAU OF AIR AND RADIATION
(785) 296-1570***

Procedures for requesting information to be held confidential

A person may request that information submitted to the Department, other than emission data or information in any air quality permit or approval, be treated as confidential if the information would divulge methods or processes entitled to protection as trade secrets. K.S.A. 65-3015.

A request to designate information submitted to the Department's air quality program as confidential must include:

- (1) An uncensored copy of the document clearly marked as confidential;
- (2) A copy of the document, or copies if more than one is required to be filed with the Department, with the confidential information masked;
- (3) Specification of the type of information to be held as confidential (i.e., product formulations, process rates);
- (4) Specification and justification of the reason the information is qualified by statute to be treated as confidential (competitive advantage, company developed secret formulation, trade secret); and
- (5) A reference at each place in the document or documents where information is masked referring to the specification of the type of information masked and the specification and justification the information is qualified by statute to be treated as confidential.

**ONLY THE CONFIDENTIAL INFORMATION ON ANY DOCUMENT MAY BE MASKED.
ALL INFORMATION ON ANY DOCUMENT WHICH IS NOT CONFIDENTIAL MUST
REMAIN LEGIBLE.**

The information will be treated as confidential until the secretary has acted upon the request and the owner or operator has had the opportunity to exhaust any available remedies if the secretary determines the information is not confidential.

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